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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: SAM KRAUSZ

FOR: METHOD OF ADMINISTERING FIRST-AID IN A VEHICLE

SERIAL NO.: 10/085,899

FILED: March 1, 2002

EXAMINER: PAUL R. DURAND

Hon. Commissioner of Patents  
and Trademarks  
Washington, DC 20231

**RECEIVED**

DEC 29 2003

TECHNOLOGY CENTER R3700

Sir:

This is in reply to the Office Action of 11/28/03.

Reconsideration is respectfully requested of the rejection of claim 1 under 35 U.S.C. 103(a) as being unpatentable over Geocaching.com (Non Patent Literature, Soggy Bottom, Hidden 2/16/02) in view of Worrel et al. (US 6,497,443) for the reasons which follow.

Please enter of record the enclosed C.F.R. 1(3) Declaration which establishes invention of the rejected claim 1 prior to the effective date of the cited reference Geocaching.com on which the rejection is based.

Favorable reconsideration of this application is respectfully requested.

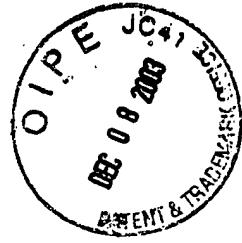
Respectfully,

MYRON AMER, P.C.  
Attorney for Applicant

By:

  
Myron Amer  
Reg. No. 18,650

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Suite 310  
Mineola, NY 11501  
(516) 742-5290  
Dated: December 5, 2003



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C.F.R. 1.131 DECLARATION

TECHNOLOGY CENTER R3700

SAM KRAUSZ declares:

1. I am the inventor of the invention described, illustrated and claimed in the above captioned application;
2. On September 4, 2001, I attended a conference with my patent attorney and disclosed my invention;
3. At the conference, I was provided the letter of September 4, 2001 annexed as an exhibit;
4. Subsequently I filed the above captioned application;
5. That all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.

Sam Krausz

Myron Amer, P.C.  
Attorney at Law  
Patent, Trademarks, Copyrights



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September 4, 2001

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DEC 29 2003  
TECHNOLOGY CENTER R3700

Mr. Sam Krausz  
House of Merchants  
445 Park Avenue  
Brooklyn, NY 11205

Re: Our File No. 1461-G (Pat)

Dear Mr. Krausz:

This will confirm our conference at our office on Tuesday, September 4, 2001, during which you disclosed in confidence and also demonstrated by a sample, your proposal for a first aid kit be to provided to motorists of a vehicle.

Although what you disclosed may take other forms, the preferred embodiment contemplates the use of a plastic container that is currently the packaging of choice for a CD disc. In the sample which you demonstrated the container was of plastic construction material and has an approximate size of 5 1/2 x 5 inches and contains an assortment of materials usually used in administering first aid such as sterile gauze pad, Tylenol caplets, Band-Aids and the like.

Underlying what could be the patentable advance is your recognition that it is common practice for a vehicle to have a so-called CD disc player and that the fragile nature of the CD disc is such that it must be protected against scratching and other abuse during handling when not in use. Thus, each CD disc has the above noted plastic box container and, for orderly storage since typically plural CD discs are involved, another common article of convenience is a larger storage box or the like having cooperating slots for slidably receiving each CD disc. Your use of a CD disc plastic box container for a select number and nature of first aid-administering products enables the advantageous use of the noted larger storage box for CD discs, since the dimensions of the first aid container and slot slidably receiving same are compatible and require no modification.

If what you have proposed is not disclosed in prior patents we would be able to conclude that what is involved is a patentable advance.

Mr. Sam Krausz  
September 4, 2001  
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In order to determine if what you have proposed is patentable, it is necessary to conduct a search of the prior patented literature. This search will take 3-5 weeks to complete and will entail an expense of \$575.

Because what is involved in conducting the search is mainly an out-of-pocket expense, it is our practice to request the payment of the search fee in advance.

We now await your instructions on how you would like us to proceed in connection with this matter.

Yours very truly,

  
MYRON AMER

MA:jn